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## PATENT

Attorney Docket No. IBM/112  
Confirmation No. 6131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Troy David Armstrong et al.      Art Unit: 2182  
Serial No.: 09/456,211      Examiner: Joshua D. Schneider  
Filed: December 7, 1999      Atty. Docket No.: IBM/112  
For: FAIR ELEVATOR SCHEDULING ALGORITHM FOR DIRECT ACCESS STORAGE  
DEVICE

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed **January 24, 2003** finally rejecting claims 1-29.

**The item(s) checked below are appropriate:**

1.    Applicants hereby petition for a        month extension of time to reply to the final rejection. A check in the amount of \$        is attached.
2.   X   Appeal Fee:   XXX   Other than a small entity Fee:  \$320.00   
       Small Entity Fee:  \$        
       Verified Statement attached  
       Verified Statement filed previously
3.   X   Payment  
       Check attached for the sum of \$       .  
  XXX   Please charge the sum of  \$320.00 , any deficiency or credit  
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Respectfully submitted,

By:

Scott A. Stinebruner  
Reg. No. 38,323

Date: 24 APRIL 2003

04/30/2003 DHALL1 00000002 233000 09456211  
01 FC:1401 320.00 CH

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Serial No. 09/456,211  
IBM Docket RO999104  
WH&E IBM/112  
Notice of Appeal  
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DEVICE

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Scott A. Stinebruner Reg. No.38,323

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Judith L. Volk  
Judith L. Volk

Date

April 24, 2003

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Serial No. 09/456,211  
IBM Docket RO999104  
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PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
 TRUMAN A. HERRON 1935-1976  
 EDWARD B. EVANS 1936-1971

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April 24, 2003

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To: Examiner Joshua D. Schneider  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

From: Scott A. Stinebruner  
 Reg. No. 38,323

Fax: 703-746-7238

Re: U.S. Patent Application  
 Serial No. 09/456,211  
 Filed: December 7, 1999  
 Applicant: Troy David Armstrong et al.  
 Art Unit: 2182  
 Confirmation No.: 6131  
 Our Ref: IBM/112

Enclosures:

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**MESSAGE/COMMENTS**  
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*Judith L. Volk*  
 Judith L. Volk

*April 24, 2003*  
 Date

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